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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,288	06/15/2000	Erik P. Fiedorowicz	RSW9-2000-0041-US1	8794

7590 02/28/2005

Jeanine S Ray-Yarletts
IBM Corporation T81/062
Intellectual Property Law
PO Box 12195
Research Triangle Park, NC 27709

EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/595,288

Applicant(s)

FIEDOROWICZ ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 February 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) a set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: 1-45.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.


STEPHEN HONG
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicants arguments are not persuasive. Regarding claim 1, Applicants argue that Walsh does not teach merging a plurality of subset style sheets to generate a composite style sheet that is used for transforming an electronic document (Remarks, page 10).

Examiner respectfully disagrees.

Knitting all the fragments together where each fragment is a style sheet template for an element of an XML document in Walsh (page 7: "In this example, we'llencountered") shows merging all the subset style sheets of the elements of the XML document to generate a composite style for an electronic document since said knitting is for putting all of the subset style sheets together.

Also in claim 1, Applicants argue that Walsh does not teach how the composite style is generated but merely assumes its pre-existence (Remarks, pages 10-11).

Examiner respectfully disagrees.

Walsh teaches the two steps of identifying a plurality subset style sheets and merging the plurality subset style sheets to generate the composite style sheet as in the office action, pages 3-4. Further, it is clear that knitting all the fragments together where each fragment is a style sheet template for an element of an XML document shows how a composite style is generated, not merely assumes its pre-existence.

Regarding claim 2, Applicants argue that Walsh does not teach "wherein the plurality of subset style sheets includes a global style sheet and other subset style sheets, and wherein merging the plurality of subset style sheets includes inserting other subset style sheets into the global style sheet to generate the composite style sheet (Remarks, page 13).

Examiner respectfully disagrees.

Walsh teaches the argued feature. See the office action, pages 4-5.

Regarding claim 3, Applicants argue that Walsh does not teach phrase matching in generating the style sheet itself but instead teaches phrase matching with respect to the actual document transformation using a style sheet (Remarks, page 14).

Examiner respectfully disagrees.

Walsh discloses that the phrase matching specified in the select attribute where inserting the instantiated templates into the result tree is for generating the style sheet itself in the instantiated template (page 8), not for transforming the actual document as argued.

Regarding claim 6, Applicants argue that it is certainly not possible to parse this preexisting XSL style sheet and then traverse the resulting tree in order to identify style sheet subsets that are then used to generate the style sheet, as the style sheet already exists (Remarks, page 14).

Examiner respectfully disagrees.

Claim 6 requires "identifying a plurality of subset style sheets includes parsing the electronic document into document object model and examining first level child elements of the document object model." Walsh discloses the required limitation (see office action, page 7). The parsed XML source document where the source document is represented as a tree implies parsing the electronic document to identify the style sheets in the nodes of the tree is performed.

Regarding claim 14, Applicants argue that Walsh does not teach "wherein identifying a plurality of subset style sheets further includes identifying the plurality of subset style sheets based on characteristics of a client device to which the electronic document is to be sent." Applicants address that the fact that a style sheet can be written to support a plurality of devices does not teach, either expressly or under principles of inherency, that style sheets are identified based on device characteristics (Remarks, page 15).

Examiner respectfully disagrees.

Walsh discloses that it will be possible to write style sheets that can be rendered on many different devices with reasonably comparable result (page 6: "SXL formatting objects ... Using these formatting objects, it will be possible to write style sheets that can be rendered on many different devices with reasonably comparable results"). The fact that a style sheet can be written to support a plurality of devices implies that style sheets are identified based on device characteristics prior being written. Otherwise, the written style sheet can not have a comparable result that matches the device characteristics.

Claims 9, 31, 39, 10, 25, 40, 11-13, 26-28 are argued based on the arguments of claims 1-3, and are responded for similar reasons to those given above regarding claims 1-3.